

ASSEMBLY BILL

No. 1483

Introduced by Assembly Member Arambula

February 22, 2005

An act relating to the Fresno Unified School District.

LEGISLATIVE COUNSEL'S DIGEST

AB 1483, as introduced, Arambula. Fresno Unified School District: restricted accounts.

Existing law requires the State Board of Education to adopt standards and criteria to be used by local educational agencies in the development of annual budgets and the management of subsequent expenditures from that budget. Existing law requires those standards and criteria to include comparisons and reviews of reserves and fund balances.

This bill would, for the 2005–06 fiscal year only, authorize the Fresno Unified School District to use up to 100% of the balances, as of June 30, 2005, of restricted accounts in its General Fund or cafeteria fund to apply to its state-mandated reserve levels, excluding restricted reserves committed for capital outlay, bond funds, sinking funds, federal funds, and funds relating to specified categorical programs.

This bill would make certain findings and declarations regarding the inapplicability of a general statute within the meaning of Section 16 of Article IV of the California Constitution.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) For the 2005–06 fiscal year only, in order to
2 provide local budgeting flexibility as a result of cost pressures
3 and declining enrollment, the governing board of the Fresno
4 Unified School District may use up to 100 percent of the
5 balances as of June 30, 2005, of restricted accounts in its General
6 Fund or cafeteria fund to apply to its state-mandated reserve
7 levels, excluding restricted reserves committed for capital outlay,
8 bond funds, sinking funds, and federal funds, and excluding
9 balances in the following programs:

10 (1) Public Schools Accountability Act (Ch. 6.1 (commencing
11 with Sec. 52050), Pt. 28, Ed. C.).

12 (2) Economic Impact Aid (Art. 2 (commencing with Sec.
13 54020) Ch. 1, Pt. 29, Ed. C.).

14 (3) Targeted Instructional Improvement Grant (Ch. 2.5
15 (commencing with Sec. 54200), Ch. 2, Pt. 29, Ed. C.).

16 (4) Instructional materials.

17 (5) Special education.

18 (b) For purposes of this section, balances of restricted accounts
19 do not include the amounts deferred from the 2003–04 fiscal year
20 to the 2004–05 fiscal year or the amounts deferred from the
21 2004–05 fiscal year to the 2005–06 fiscal year.

22 (c) The governing board may not use the ending balance in
23 any restricted account if that use would violate a federal
24 maintenance of effort requirement.

25 (d) This section does not obligate the state to refund or repay
26 funds used pursuant to this section. If the Fresno Unified School
27 District uses an ending balance in a restricted account that
28 consists, in whole or in part, of funds reimbursed to the district as
29 a subvention of funds for a state-mandated local program, the
30 school district may not submit a claim to the state for a
31 subsequent reimbursement of the funds that were reimbursed
32 pursuant to Section 6 of Article XIII B of the California
33 Constitution and used pursuant to the authority granted to a
34 school district pursuant to this section.

35 SEC. 2. Due to the unique circumstances concerning the
36 Fresno Unified School District, the Legislature finds and declares
37 that a general statute cannot be made applicable within the

1 meaning of Section 16 of Article IV of the California
2 Constitution.

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